



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
101 West Pleasant Street, Suite 100A
Milwaukee, Wisconsin 53212-3963
TDD #: (608) 264-8777

Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 48
Comm #: 53181-9635-08-A
BRRTS #: 03-30-203887
Site Name: BIDD, LLC Property
Site Address: 108 Lance Dr., Twin Lakes, 53181
Site Manager: Shanna Laube
Address: 9531 Rayne Rd., Suite 4
City, State Zip: Sturtevant, WI 53177-1833
Phone: (262) 884-2341
e-mail: Shanna.Laube@Wisconsin.gov
Bid Manager: Stephen D. Mueller
Address: 101 West Pleasant St., Suite 100A
City, State Zip: Milwaukee, Wisconsin 53212-3963
Phone: (414) 220-5402
e-mail: Stephen.Mueller@Wisconsin.Gov

Bid-Start Date:	March 26, 2007
Questions must be received by (See Section 2 (B)):	April 09, 2007 4:00 PM
Responses will be posted by (See Section 2 (B)):	April 27, 2007
Bid-End Date and Time:	May 11, 2007 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Milwaukee, 757 N Broadway, Ste 200, Milwaukee, WI 53202
Phone: (414) 276-2679 Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

General Comments

The BIDD site is a former gasoline station located at 108 Lance Drive (St. Hwy. Z), in a commercial-residential area in the Village of Twin Lakes, Kenosha County. The station stopped dispensing gasoline permanently after three 5,000-gallon, unleaded gasoline underground storage tanks (USTs) were removed in October 1998. The property has an approximate area of 0.43 acres and is comprised of two contiguous parcels, one (the “tank” parcel) fronting on Lance Drive and the second (the “back” parcel) abutting Main Street to the north.

The former gasoline station building on the “tank” parcel is currently used as motorcycle parts shop, while the building on the “back” parcel is used as an automotive repair/body shop. The elevation of the “back” parcel is at least 10 feet higher than the “tank” parcel. Belle S. Lance Park is located across Lance Drive to the south of the former station and abuts Marie Lake. The park and several other properties along the lakeshore are supplied by private potable wells.

A site investigation was conducted between February 1999 and February 2000, entailing the installation and sampling of 16 monitoring wells and one piezometer. In May 2004, an additional two monitoring wells and two piezometers were installed as well “nests” to evaluate the vertical extent of the groundwater plume and whether the plume is being drawn down toward neighboring potable water well intakes, including the potable well at Lance Park.

Native soil on and surrounding the BIDD property consists of 6-7 feet of silty clay underlain by sand and gravel to at least 80 feet below ground surface (bgs). The surficial clay layer does not appear to extend to the south across Lance Drive. Depth to the water table ranges from about 20 feet bgs near the former tank basin to about 12 feet bgs near the lakeshore, and groundwater flows southeastward towards the lake. A substantial, tree-covered hill stands between the BIDD property and Marie Lake.

To date, the monitoring wells and piezometers have been sampled two to five times, the Lance Park potable well six times, and nine neighboring potable wells two to five times. The groundwater plume is approximately 950 feet long (NW-SE) and 500 feet wide (SW-NE) and appears to extend to Marie Lake near the Lance Park potable well. Methyl tertiary butyl ether (MtBE) is the only contaminant detected in the well and it is currently below the enforcement standard. The extent of the other PVOCs appears to lie under the Lance Park hill.

Minimum Remedial Requirements

Goals of the additional work are to 1) conduct monitoring well and piezometer groundwater sampling, 2) conduct potable well water sampling, and 3) prepare a report.

1. Conduct quarterly rounds of groundwater sampling for laboratory analysis, as follows.

Well	1st round	2nd round	3rd round	4th round
MW-1 thru 7, 11, and 17	Yes	Yes	Yes	Yes
MW-8 thru 10, 12 thru 16, and PZ-10, 18 and 19	Yes	No	No	Yes

Analyze the monitoring well and piezometers samples for VOCs (1st round only), then PVOCs and naphthalene.

Measure groundwater elevations in all the wells, whether sampled or not, and report the data in tabular form. Prepare water table maps showing groundwater flow for each sampling round.

Provide results of groundwater sampling and the associated groundwater flow map to the DNR and Commerce within 45 days of each sampling event.

2. Conduct potable water well sampling for laboratory analysis, as follows.

Well	1st round	2nd round	3rd round	4th round
BIDD, Lance Park, Niko's, and Chateau Du Lac*	Yes	No	No	Yes

* BIDD (108 Lance Dr.), Niko's Residence (33 Lance Dr.), Chateau Du Lac Condominium (131 Lance Dr.), and Lance Park (55 Lance Dr.)

Analyze the potable well samples for VOCs (EPA method 8260).

Samples should be collected from a sample tap or faucet near the pump and before treatment, storage or pressure systems. If the sampling tap has an aerator, filter or other device, remove it. Allow the water to run from the tap for at least five minutes prior to collecting the sample. Reduce water flow to a thin stream, then collect the VOC samples as described in section 2.5 in the DNR Groundwater Sampling Field Manual (DNR PUBL – DG – 038 96).

Provide results of the potable well sampling to the DNR and Commerce within 45 days of each sampling event.

3. Reporting: Upon completion of all site work, prepare a comprehensive report documenting all of the groundwater sampling activities. The report will include groundwater elevation and flow maps; isoconcentration maps of residual soil and groundwater contamination; updated tables which show all historic groundwater data on one table; concentration trend analyses; and all appropriate and required field forms, maps, tables, laboratory reports, etc.

The report must be submitted to the DNR (copy to Commerce) no later than three (3) months after completion of the bid scope of work.

4. As part of a compliant bid response, provide a cost to complete a closure request and GIS Registry packet, in the event that site conditions are favorable for case closure. The closure request will include a DNR Case Summary and Closeout Form that fully details the site history and investigation and remediation activities in addition to the bid activities.
5. Properly dispose of all sampling wastes generated from all activities conducted under this bid scope, and provide all waste disposal documentation.

6. Web Reporting (See <http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html>) and PECFA claim for bid scope of work completed.

Regarding the 2nd Page of the Bid Response:

If necessary, subsequent cost caps may be determined using page 2 following the successful completion of the activities under the initial cost cap. Approval shall be obtained through a request to Commerce for a change order. The request shall include total costs incurred to date under the existing cap. The subsequent cost cap amount may be adjusted up (or down) based on the outcome of the specified work activities.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Bidd LLC Property

COMMERCE #: 53181-9635-08

BRRTS #: 03-30-203887

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Bidd LLC Property

COMMERCE #: 53181-9635-08

BRRTS #: 03-30-203887

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1a	1 st & 4 th rounds: monitoring well and piezometers groundwater sampling (incl. results submittal).	\$	
1b	2 nd & 3 rd rounds: monitoring well and piezometers groundwater sampling (incl. results submittal).		
2	Potable well sampling (incl. results submittal).	\$	
3	Reporting, upon completion of work.	\$	
4	Case Summary & Closeout Request, incl. GIS Registry packet.	\$	
5	Waste disposal.	\$	
6	Web-Reporting and PECFA Claim Preparation	\$	
	Total Bid Amount	\$	